



Judicial Council of California
Administrative Office of the Courts

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Dear Presiding Justices and Judges:

As those of us in the judicial branch are aware, the role of the courts is to adjudicate in an unbiased and objective manner the disputes and issues brought before us. The basic notion of “fairness” is integral to our tradition of justice. Over the past few years, reports from the Judicial Council’s Advisory Committee on Gender Bias in the Courts, the Advisory Committee on Racial and Ethnic Bias, and the Commission on the Future of the California Courts have revealed that many Californians perceive themselves at a disadvantage in our justice system for reasons unrelated to the merits of their claims.

In response to these studies evaluating the presence and impact of ethnic, racial, and gender bias in the courts, our judicial branch has continued a process of self-examination and, where appropriate, taken corrective action to deal with such bias, whether actual or perceived. This self-assessment amounts to an achievement that few institutions, public or private, can claim. In itself, this effort provides a strong demonstration of the judicial system’s dedication to ensuring fairness and even-handed justice. Arguing about whether bias is actual or perceived can divert us from the most appropriate focus of our inquiries: *Does the public have the confidence in the impartiality of our justice system that is essential to its continued health and effective functioning?*

Actual bias and the perception of bias often stem from similar roots grounded in misunderstanding and unfamiliarity. In response, our branch has moved ahead to ensure not only the fair administration of justice, but also the appearance of fairness and justice in the courthouses of our state. As the institution expressly charged with rendering justice, it is important that we serve as a model for fairness in every facet of our operations. California’s distinguished record in judicial fairness education dates back to 1981. Model programs developed by the Center for Judicial Education and Research (CJER) include (1) courses on fairness issues related to race, ethnicity, gender, persons with disabilities, and sexual orientation; (2) a day-long segment of the New Judicial Officers’ Orientation

Program; and (3) training in sexual-harassment prevention for judicial officers and staff. During the past five years, nearly half of all our state court judges have participated in courses incorporating a wide array of diversity themes. In addition, similar initiatives have been undertaken in a number of courts across the state.

Turning now to the specifics, I am seeking your support for the following proposals that we each:

- Adopt as a shared goal making broad-based courses on fairness issues related to race, ethnicity, gender, persons with disabilities, and sexual orientation available to all judges in your court by June 30, 1998, and to all court employees by the end of 1999.
- Feel free to fully utilize the resources of the Administrative Office of the Courts, stand ready to be a supporting resource (they will be sending information on contact persons and available service to you by mid-June).
- Take full advantage of this opportunity to identify and establish plans to address the needs of the populations served by our respective courts.

These efforts will better equip judges and court staff to assist individuals who bring a wide range of traditions and expectations to the courts. In the first week of June, you will receive a letter providing information on available services.

California is a state whose hallmark is diversity. During my visits to courts around the state, I have seen the impact of the extraordinary variety of backgrounds and cultural experiences that both enrich and complicate our experience and increase the demands on our institutions. I hope you will join me in the continuing efforts of our branch to strengthen the public's confidence in what I already know to be an extraordinarily fine judicial system.

Sincerely,

Ronald M. George
Chief Justice of California